

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**ENGINEERS JOINT WELFARE, PENSION,  
SUPPLEMENTAL UNEMPLOYMENT BENEFIT AND  
TRAINING FUNDS, by Daniel P. Harrigan, as Administrator;  
OPERATING ENGINEERS LOCAL 17 TRAINING FUND,  
by Frederick Eye, as Administrative Manager; CENTRAL  
PENSION FUND OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS AND PARTICIPATING EMPLOYERS,  
by Michael R. Fanning, as Chief Executive Officer; and INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL UNION  
NO. 17, by Mark N. Kirsch, as Business Manager,**

**Plaintiffs,**

**05-CV 1385 (NAM/GHL)**

**vs.**

**BDR INC. and RAYMOND ZYLINSKI,  
Individually and as an Officer of BDR Inc.,**

**Defendants.**

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**APPEARANCES**

**OF COUNSEL:**

**Blitman & King LLP**  
Franklin Center, Suite 300  
443 North Franklin Street  
Syracuse, New York 13204  
*For Plaintiffs*

**Jennifer A. Clark, Esq.**

**Hon. Norman A. Mordue, Chief U.S. District Judge:**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 23<sup>rd</sup> day of April 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, the affidavit (Dkt. No. 18) in support of interest and liquidated damages

incurred during the period of December 1, 2006 through May 13, 2008, with no objections filed by either party, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted and approved.

2. The plaintiffs' motion for default judgment is granted and the clerk is directed to enter judgment in plaintiffs' favor and against defendants, in the sum of \$13,861.35, the sum of which is \$12,915.43 plus \$452.74 in interest from December 5, 2006, through May 13, 2008, and \$493.18 in liquidated damages.

3. The Clerk of the Court shall serve a copy of this order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: June 2, 2008  
Syracuse, New York

  
Norman A. Mordue  
Chief United States District Court Judge